

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 14-15, 2005

Reference No.: 2.8c.(2)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: William D. Bronte
Chief, Division of Rail

Ref: **REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION, PER RESOLUTION G-03-19, STATE TRANSPORTATION IMPROVEMENT PROGRAM GUIDELINES WAIVER-05-29**

ISSUE

Resolution G-03-19, State Transportation Improvement Program (STIP) Guidelines, adopted by the California Transportation Commission (Commission) on December 11, 2003, stipulates that the Commission may extend the deadline for project completion no more than one time and only if it finds that an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the extension. The extension will not exceed the period of delay directly attributed to the extraordinary circumstance and will in no event be for more than twenty (20) months.

The Capitol Corridor Joint Powers Authority (CCJPA) will not be able to meet the project completion deadline of December 31, 2005, for the Oakland to San Jose Track Improvements project. The CCJPA requests an extension until December 31, 2006, to allow sufficient time to complete the project.

RECOMMENDATION

The Department of Transportation recommends approval of the extension request of 12 months until December 31, 2006.

BACKGROUND

On June 3, 2002, the Commission approved Resolution MFP-01-21, allocating \$1,400,000 in STIP funds for the Oakland to San Jose Track Improvements project. The Department executed a contract with the CCJPA on December 31, 2002 for this project.

A six-month delay was experienced: (1) when severe weather damaged major portions of the track in southern California and Union Pacific (UP) crews were shifted to the southern portion of the line to perform repairs; and, (2) during negotiations between UP and the Peninsula Corridor Joint Powers Board (PCJPB) regarding the track and signal configuration at the juncture of CP Coast.

The project experienced an additional six-month delay when the PCJPB was unable to acquire the signal equipment using the change order process they had originally relied upon. The PCJPB was required to bid out the signal equipment in accordance with public procurement processes.

The overall project is approximately 80% complete, with approximately 75% of the funds expended.